

Waste, Pesticides and Toxics Division

	Notice of Violation and Inspection Report/C No Violation Letter and Inspection Report/C Letter of Acknowledgment Information Request Pre-Filing and Opportunity to Confer State Notification of Enforcement Action										
Facility Name:	ATTERY BUILDERS IN	le									
Facility Location: 3	W238 91st ST										
City: NAPERI	State: JL	60565									
U.S. EPA ID#	R 000 HI 591	*									
Assigned Staff J	AK Phone: 3	6057									
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Author	lipl 7	2/19/04									
Regional Counsel	of that OPE commen	me (e-mail)									
Section Chief	Jonn M. Jay	2/19/04									
Branch Chief		* .									
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5. File the certified	d mail receipt (green card), with this sign-off s	heet and the official file									
	to 7th floor RCRA file room;										
6. E-mail staff the	E-mail staff the date that the letter was received by facility.										

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5 77 WEST JACKSON BOULEVARD CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

FEB 1.9 2004

<u>CERTIFIED MAIL</u> RETURN RECEIPT REQUESTED DE~9J

IN THE MATTER OF:

Battery Builders, Inc. 31W238 91st St. Naperville, IL 60565

U.S. EPA ID No.: ILD 005 237 805

ATTENTION:

James Hanslik,

President

REQUEST FOR INFORMATION

By this letter, the United States Environmental Protection Agency requests information under Section 3007 of the Resource Conservation and Recovery Act (RCRA), as amended, 42 U.S.C. § 6927. Section 3007 authorizes the Administrator of U.S. EPA to require you to submit certain information.

This request requires Battery Builders, Inc. (Battery Builders or you) to submit certain information relating to its operations located at 31W238 91st Street, Naperville, Illinois. We are requiring this information for purposes of enforcing Section 3002 of RCRA and its implementing regulations. The following attachment specifies the information you must submit. You must submit this information within 30 calendar days of receiving this request to the United States Environmental Protection Agency, Attention: Judith Kriz, 77 West Jackson Boulevard, DE-9J, Chicago, Illinois 60604.

You may, under 40 CFR Part 2 Subpart B, assert a business confidentiality claim covering all or part of the information in the manner described in 40 CFR 2.203(b). We will disclose the information covered by a business confidentiality claim only to the extent and by means of the procedures at 40 CFR Part 2, Subpart B. You must make any request for confidentiality when

you submit the information since any information not so identified may be made available to the public without further notice.

Battery Builders must submit all requested information under an authorized signature certifying that the information is true and complete to the best of the signatory's knowledge and belief. Should the signatory find, at any time after submitting the requested information, that any portion of the submitted information is false, misleading or incomplete, the signatory should notify us. Knowingly providing false information, in response to this request, may be actionable under 18 U.S.C. §§ 1001 and 1341.

We may use the requested information in an administrative, civil or criminal action.

This request is not subject to the Paperwork Reduction Act, U.S.C. § 3501 et seq., because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

Failure to comply fully with this request for information may subject Battery Builders to an enforcement action under Section 3008 of RCRA, 42 U.S.C. § 6928.

You should direct questions about this request for information to Judith Kriz, of my staff, at (312)353-6057.

Date

Lorna M. Jereza, P.E., Chie

Enforcement and Compliance Branch

Compliance Section 1

Attachment

cc: Todd Marvel, Illinois EPA

ATTACHMENT

Instructions: You must respond separately to each of the questions or requests in this attachment. Unless otherwise specified, each of the following requests, and the term "facility," relates or refers to the Battery Builders, Inc. facility located at 31W238 91st St., Naperville, IL 60565. Precede each answer with the number of the Request for Information to which it corresponds. For each document produced in response to this Request for Information, indicate on the document, or in some other reasonable manner, the number of the question to which it responds.

Requests

- 1. Identify all persons consulted in preparing the answers to this Request for Information. Provide the full name and title for each person identified, business telephone number for each individual identified, and the number of years that each identified individual has worked for Battery Builders.
- 2. Provide the following information:
 - a) the date upon which Battery Builders first began:

 i. battery manufacture operations at the facility;
 ii. hazardous waste generation and accumulation at the facility;
 - b) if similar activities were conducted at other location(s), provide location address(es); and date(s) of initiation and cessation of activity;
 - c) ownership of the current facility, including real property, structure(s) and manufacturing equipment;
 - d) the names and titles of the officers of Battery Builders;
 - e) If known, provide the following information:
 - i. State whether the previous owner(s) of the facility, from whom Battery Builders purchased the facility, conducted hazardous waste generation and accumulation at the facility;
 - ii. State whether the operator(s) of the facility prior to Battery Builders' ownership of the facility conducted hazardous waste generation and accumulation at the facility;
 - iii. State the factual bases for your responses to 2(e)(i) and (ii), and provide any supporting documentation for those responses that is in your possession or control.

- 3) Provide the following:
 - a) a process diagram of the unit operations utilized in the production of batteries at the facility, labeled so as to identify each operation;
 - b) a listing of each hazardous waste produced as a result of each unit operation.
- 4) Provide the following information regarding all federal, state, county, and local environmental registrations and/or permits for the facility:
 - a) identification number(s);
 - b) date(s) issued, and if not identified on the document the issuing entity;
 - c) a true and accurate copy of each such registration and permit.
- Provide a true and accurate copy of each waste determination, characterization, and analysis (complete analytical package) prepared by or for Battery Builders, for each process solid waste or byproduct sent off-site from January 1, 2001, through the date of your receipt of this request, including but not limited to: lead waste, floor sweepings, baghouse dust, and spent acid. Include a true and accurate copy of all such analyses whether these materials are sent for recycle or disposal.
- 6) Provide a true and accurate copy of each manifest, whether or not labeled hazardous, that accompanied shipments of the materials listed in 5) above, from January 1, 2001 through the date of your receipt of this request.
- 7) If any copy of a hazardous waste manifest with the handwritten signature of the owner or operator of the designated facility, was not received by Battery Builders within 45 days of the date the waste was accepted by the initial transporter, provide a true and accurate copy of each exception report which Battery Builders filed with Illinois Environmental Protection Agency, during the period from January 1, 2001, through the date of your receipt of this request.
- 8) If a hazardous waste manifest was not utilized for any shipment of materials referenced in 5), provide a true and accurate copy of each bill of lading which did accompany

- such shipment during the period from January 1, 2001, through the date of your receipt of this request.
- 9) If any material referenced in 5) above was sent to a recycler, provide a true and accurate copy of each payment or payment receipt for such material, along with any supporting documentation such as composition and price per pound paid to Battery Builders, during the period from January 1, 2001, through the date of your receipt of this request.
- 10) Provide the name(s), address(es), and phone number(s) for each disposal and/or recycling facility to which Battery Builders sent its process wastes or byproducts, during the period from January 1, 2001, through the date of your receipt of this request.
- 11) Provide a true and accurate copy of each environmental analysis conducted by Battery Builders, including but not limited to its employees, contractors, or others, during the the period from January 1, 2001, through the date of your receipt of this request. These analyses shall include but not be limited to soil sample analysis of facility soil, analysis of pond sediment or liquid, and analysis of wastewater discharge. If an analysis is part of a report or document, provide the entire document for each such analysis.
- 12) If Battery Builders has been the subject of any federal, state, or local action for environmental violations involving or related to hazardous waste, provide a true and accurate copy of the document that instituted such action, and the document that concluded such action.
- other hazardous waste at its facility, provide a true and accurate, copy of each completed manifest and/or bill of lading that accompanied each such received shipment, during the period from January 1, 2001, through the date of your receipt of this request. "Completed copies" shall be understood to include the signature of the owner or operator of the receiving facility, or their authorized representatives. Such shipments include, but are not limited to, shipments of spent or waste acid resulting from work performed by Battery Builders personnel or contractors who repair or inspect Battery Builders batteries at customers' sites.

- 14) If wastes described in 13) above were received by Battery Builders, state the disposition of such wastes by the facility, from the time the waste is received by Battery Builders, for the period from January 1, 2001, through the date of your receipt of this request.
- 15) If at any time since initiation of business at its current facility and location, Battery Builders ever received used/spent batteries (of any size), and broke open the casings and/or re-used/re-smelted the metallic plates at the facility, provide the following information:
 - a) dates of such activity;
 - b) number of batteries thus handled;
 - c) disposition of resultant wastes.
- 16) Provide a true and accurate copy of the Tank Integrity
 Assessment Report for the Waste Acid tank at the facility.

 If such Report has been revised at any time since its
 installation, provide a true and accurate copy of both the
 initial and revised reports.
- 17) Provide the following certification by a responsible corporate officer:

I certify under the penalty of law that I have examined and am familiar with the information submitted in responding to this information request for production of documents. Based on my review of all relevant documents and inquiring of those individuals immediately responsible for providing all relevant information and documents, I believe that the information submitted is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION V

230 SOUTH DEARBORN ST.

SEP 2 8 1982

CHICAGO ILLINOIS 60604

REPLY TO ATTENTION OF

RCRA ACTIVITIES

HANDLIK JAMES PRES BATTERY BUILDERS INC 31 W 238 9151 5T 01)240 NAPERVILLE HALILITY: 31 W 238 YIST ST 14 00540 LUCATION: NAPERVILLE TO NO.: TLUCUSZ37805

RE: TSD Notification without Part A Application

Dear Notifier:

The United States Environmental Protection Agency (U.S. EPA) has received your notification of hazardous waste activity. On that form, by checking the "treat/store/dispose" (TSD) box, you indicated that you are a hazardous waste management facility (HWMF). To date, however, we have no record of having received Part A application for a hazardous waste permit which is required for all HWMFs.

Federal regulations require owners and operators of existing HWMFs (installations which treat, store, or dispose of hazardous waste) to have submitted a Part A cermit witten treat, store, or grapose of mazardous waster to make admirated a fary A certain application to the Regional Administrator by November 19, 1980, in accordance with 40 CFR 122.22. This requirement applied to HUMFs which were in existence on or before November 19, 1930. New facilities (those established after November 19, 1980) are required to submit Part A and Part B of their permit application, and receive a Resource Conservation and Recovery Act (RCRA) permit before beginning physical construction.

If your facility treats, stores, or disposes of hazardous waste, then your facility is operating without a hazardous waste permit, in violation of Section 3005 of RCRA, as amended. This violation is considered serious by the U.S. EPA, and may subject you to Federal enforcement under Section 3008 of RCRA for past and centinued non-compliance.

Pleasa submit your completed Part A application to the address below within fifteen days of receipt of this letter:

> RCRA ACTIVITIES P. D. Box A3587 Chicago, Illinois 60690-3587

We are aware that some hazardous waste handlers may have marked the TSD box on the notification form as a precaution or as a result of misunderstanding the 182.19. 1980, bazardous waste regulations. If you notified us as a TSD in error, or if your status as a treatment, storage, or disposal facility has changed, please advise us in writing immediately.

Pleaso contact Arthur Kawatachi of my staff at (312) 353-2197, if you have any questions regarding this letter.

Sincerely yours,

Karl J. Kloritsch, Jr., Chief

Maste Management Branch

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ACKNOWLEDGEMENT OF NOTIFICATION OF HAZARDOUS WASTE ACTIVITY (VERIFICATION)

This is to acknowledge that you have filed a Notification of Hazardous Waste Activity for the installation located at the address shown in the box below to comply with Section 3010 of the Resource Conservation and Recovery Act (RCRA). Your EPA Identification Number for that installation appears in the box below. The EPA Identification Number must be included on all shipping manifests for transporting hazardous wastes; on all Annual Reports cluded on all shipping manifests for transporting hazardous wastes; on all Annual Reports that generators of hazardous waste, and owners and operators of hazardous waste treatment, storage and disposal facilities must file with EPA; on all applications for a Fede. 'Hazardous Waste Permit; and other hazardous waste management reports and documents required under Subtitle C of RCRA.

EPA LO. NUMBER

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Installation address

EPA Form 8700-128 (4-80)

ACLERIA.





21W228 - 91SI STREET, NABERVILLE, ILLINOIS 60565 PHONE 312 651-5800

JLD 005 237 805

October 5, 1922

United States Environmental Protection Agency Region V 230 South Dearborn Street Chicago, Illinois 60604

Karl J. Klepitsch, Jr., Chief Attention: Waste Management Branch

Dear Mr. Klepitsch,

In reference to your letter of September 28, 1982 on the "treat/store/dispose" of a hazardous waste, we at Battery Builders, Inc., feel that in completing the application for our I.D. we checked the TSD box by mistake.

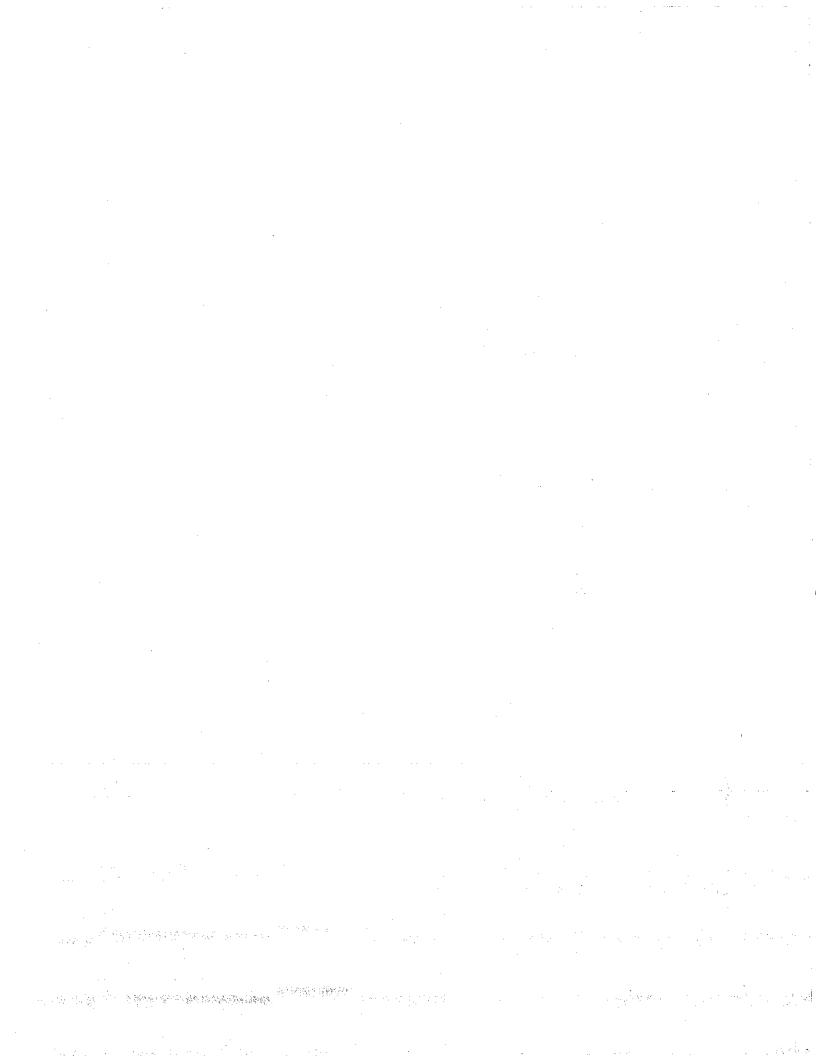
We are a manufacturer of Industrial Batteries and we do not treat or store or dispose of any hazardous waste in our plant. All of our material is reused in the manufacturing process by Battery Builders, Inc.

MICELVED 10-13-17-19-04

WASTE WITH GLACHT GRANCH ED.

james Hanslik

President





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION V 230 SOUTH DEARBORN ST CHICAGO, ILLINOIS 60604

REPLY TO ATTENTION OF

5AHWM

EPA Identification Number: JDD05934805

Dear Notifier:

The U. S. Environmental Protection Agency (EPA) has received the notification (form 8700-12) which you filed pursuant to Section 3010 of the Resource Conservation and Recovery Act, 42 U.S.C. 6930. Our review of the notification shows that either all pertinent information was not included, it was illegible, or some question exists concerning that disposition of the notification. The box marked below will final disposition of the appropriate action on your part.

1. Pertinent information required was not included.
Please complete the items circled in red.

プ 2. The form was illegible. A new Notification Form is being returned to you for completion.

3. You have indicated you do not handle hazardous waste. If you will in the future, and would like an EPA Identification Number at this time, please resubmit the enclosed form completing the items circled in red. If you do not respond by the date indicated below your notification will be disregarded.

Please follow the instructions above returning the form and this letter to the following address by $\frac{1}{2} \frac{1}{2} \frac{1}{2}$

EPA Region V RCRA Activities p. D. Box 7861 Chicayo, Illinois 60580

Sincerely yours,

Regional Project Officer

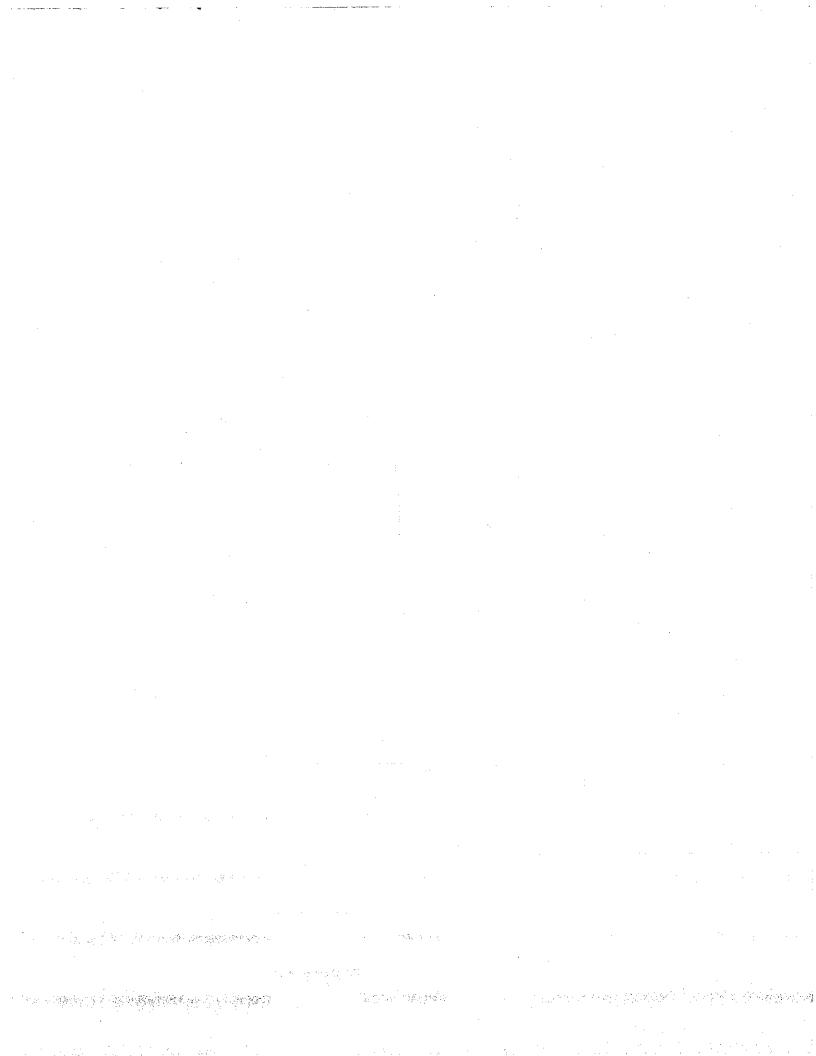
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BATTERY BUILDERS, INC.

Medde-91st Shreet, Naperville, 1throns 500540

Mond Server / Control of the Control



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
 Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Received by (Please Print Clearly) B. Date of Delivery C. Signature Agent Addressee
1. Article Adultessed to. A THE RIGHT AND THE RIGHT AND THE RIGHT. THE RIGHT AND THE RIGHT AND THE RIGHT. A THE RIGHT AND THE RIGHT AND THE RIGHT.	D. Is delivery address different from item 1?
A KASA BARAN SAN SAN SAN SAN SAN SAN SAN SAN SAN S	3. Service Type ☐ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.
2. Article Number	4. Restricted Delivery? (Extra Fee) ☐ Yes
(Transfer from service label) 7001 0320	0006 1451 8983
PS Form 3811, March 2001 Domestic Ret	urn Receipt 102595-01-M-1424

 Sender: Please print your name, address, and ZIP+4 in this box First-Class Mail Postage & Fees Paid USPS Permit No. G-10 UNITED STATES POSTAL SERVICE